

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

August 7, 2017 Meeting Minutes

4:00 p.m., Public Hearing Room, DEP, Trenton

Board Members:

Present

Jorge Berkowitz
Phil Brilliant
Lawra Dodge
Joann Held
Jeffrey Hoffman
Kathi Stetser
Peter Strom
Connie Tsentas
Ira Whitman

Absent

Christopher Motta
Mark Pedersen

Others Present:

Board Executive Director Janine MacGregor
Board Staff Dana Haymes
DAG Nielsen Lewis

Proceedings:

- Meeting called to Order at 4:05 PM by Acting Chairperson Joann Held.
- Acting Chairperson Held read the Statement of Adequate Public Notice of the meeting required by the Open Public Meetings Act.
- Roll Call. A quorum of the Board was present for the meeting.
- Motion by Jeffrey Hoffman to approve the Minutes of June 19, 2017.

Motion seconded by Jorge Berkowitz.

Roll Call Vote:

Jorge Berkowitz – Yes
Phil Brilliant - Yes
Lawra Dodge – Yes
Joann Held - Yes
Jeffrey Hoffman – Yes
Kathi Stetser - Yes
Peter Strom – Yes
Connie Tsentas - Yes
Ira Whitman - Yes

The Motion was carried.

- Motion by Jeffrey Hoffman to approve the Closed Meeting Minutes of June 19, 2017.

Motion seconded by Phil Brilliant.

Roll Call Vote:

Jorge Berkowitz – Recused
Phil Brilliant - Yes
Lawra Dodge – Abstain
Joann Held - Yes
Jeffrey Hoffman – Yes
Kathi Stetser - Yes
Peter Strom – Yes
Connie Tsentas - Yes
Ira Whitman - Yes

The Motion was carried.

- Motion by Phil Brilliant to correct an error in the June 5, 2017 Meeting Minutes.

Motion seconded by Connie Tsentas.

Roll Call Vote:

Jorge Berkowitz – Yes
Phil Brilliant - Yes
Lawra Dodge – Abstain
Joann Held - Yes
Jeffrey Hoffman – Yes
Kathi Stetser - Yes
Peter Strom – Yes

Connie Tsentas - Yes
Ira Whitman - Yes

The Motion was carried.

- **Chairperson's Report**

No report.

- **Executive Director's Report**

Executive Director Janine MacGregor announced that the Outreach Committee's report from Committee Chair Peter Strom will be first on the agenda, along with a brief discussion of Board Website changes. Janine MacGregor also announced that she has circulated to Board Members the draft Guidance Document for Notifications and requests suggestions for revisions or additions by August 31, 2017.

- **Committee Reports**

- **Report of the Outreach Committee – Peter Strom**

Executive Director Janine MacGregor presented proposed changes to the Board website.

Ira Whitman suggested that every Board document and correspondence refer to the Board's website.

Peter Strom said that the new version of the website would be posted, with the exception of content shown tonight in draft, such as "Are You an LSRP....?". Peter Strom also requested that Committee Chairs, Board Members and the public make suggestions for revisions or additions.

- **Report of the Continuing Education Committee: Lawra Dodge**

Motion by Lawra Dodge to approve the following 14 applications for approval of Continuing Education Credits:

1. Application of Remediation Workshop, LLC for approval of "Remediation Workshop – June 2017" for 4 Technical CECs (designate 2017-040)
2. Application of LSRPA for approval of "LSRPA Regulatory Roundtable – March 2017" for 2 Regulatory CECs (designate 2017-041)

3. Application of LSRPA for approval of “LSRPA Regulatory Roundtable – April 2017” for 2 Regulatory CECs (designate 2017-042)
4. Application of Midwest Geosciences Group for approval of “Managing the Complexities ... Hydrogeological and Geotechnical Investigations” for 16 Technical CECs (designate 2017-043)
5. Application of LSRPA for approval of “LSRPA Regulatory Roundtable – June 2017” for 2 Regulatory CECs (designate 2017-044)
6. Application of Langan for approval of the “2017 Environmental Workshop” for 3.5 Technical CECs (designate 2017-045)
7. Application of Lion Technology for approval of “Complete Environmental Regulations” for 7 Regulatory CECs (designate 2017-046)
8. Application of LSRPA for approval of “Data Interpretation” for 2 Technical CECs (designate 2017-047)
9. Application of AEG for approval of “In Situ Green Groundwater Treatment Design and Engineering of Controlled Vertically Hydraulically Fractured Groundwater Remediation Programs” for 1 Technical CEC (designate 2017-048)
10. Application of GEI Consultants for approval of “ISRA and PA-SI Training for LSRPs” for 2 Regulatory CECs (designate 2017-049)
11. Application of LSRPA for approval of “LSRPA Regulatory Roundtable – May 2017” for 2 Regulatory CECs (designate 2017-050)
12. Application of LSRPA for approval of “Off-site Source – Practical Implementation” for .5 Regulatory and 1.5 Technical CECs (designate 2017-051)
13. Application of Red Vector for approval of “Hazardous Waste Essentials (RV 11055)” for 1 Technical CEC (designate 2017-052)
14. Application of Red Vector for approval of “Gas Collection and Treatment Systems (RV 11065)” for 3 Technical CECs (designate 2017-053)

Motion seconded by Connie Tsentas.

Phil Brilliant and Jorge Berkowitz are recused from all 14 applications on advice of Ethics Liaison Ray Papperman.

Kathi Stetser is recused from number 10 because she is involved in the development of the course.

Lawra Dodge amended the motion for the Board to accept the recommendations of the Continuing Education Committee with respect to numbers 1-9 and 11-14. Number 10 is tabled.

Roll Call Vote:

Jorge Berkowitz –	Recused
Phil Brilliant -	Recused
Lawra Dodge –	Yes to all
Joann Held -	Yes to all
Jeffrey Hoffman –	Yes to all
Kathi Stetser -	Yes to all
Peter Strom –	Yes to all
Connie Tsentas -	Yes to all
Ira Whitman -	Yes to all

The Motion was carried.

Motion by Lawra Dodge to approve the application of AEHS Foundation for the “33rd Annual Conference on Soils, Sediments, Water and Energy” as follows:

- Disapprove Workshop 4 and Platform Sessions 8 and 10. All other workshops and platform sessions are approved for 1 Technical CEC/1 hour workshop, and .5 Technical CEC/1 hour platform session, with the exception of Workshop 2 and Platform Sessions 2 and 14 which are approved for Regulatory CECs. (designate 2017-054)

Motion seconded by Connie Tsentas.

Roll Call Vote:

Jorge Berkowitz –	Recused
Phil Brilliant -	Recused
Lawra Dodge –	Yes
Joann Held -	Yes
Jeffrey Hoffman –	Yes
Kathi Stetser -	Yes
Peter Strom –	Yes
Connie Tsentas -	Yes
Ira Whitman -	Yes

The motion was carried.

Motion by Lawra Dodge to disapprove the following 7 applications for approval of Continuing Education Credits:

16. Application of Red Vector for approval of “Ethical Decision Making Webcast (RV 10705AW)”
17. Application of Red Vector for approval of “Ethics for Professionals (RV 11102AW)”
18. Application of Red Vector for approval of “Existing Building Commissioning: Implementing Retrocommissioning on Your Project (RV 11300AW)”
19. Application of Red Vector for approval of “Green Design: The Ethics of Green Design (RV 10685)”
20. Application of Red Vector for approval of “Introduction_ ISI Envision Rating System (RV 11048AWP)”
21. Application of Red Vector for approval of “Sustainable Sites Initiative (RV 11103AW)”
22. Application of Red Vector for approval of “Common Myths of Wastewater Design and Operations (RV 11044AW)”

Motion seconded by Connie Tsentas.

Jorge Berkowitz –	Recused
Phil Brilliant -	Recused
Lawra Dodge –	Yes to all
Joann Held -	Yes to all
Jeffrey Hoffman –	Yes to all
Kathi Stetser -	Yes to all
Peter Strom –	Yes to all
Connie Tsentas -	Yes to all
Ira Whitman -	Yes to all

The motion was carried.

In April, the Committee had a conference call. The Committee will get back to addressing the topics of the conference call, including developing an ethics course. The Committee is also considering how to expand the breadth of courses available for LSRPs.

Jorge Berkowitz requested that the Executive Director have a conversation with the Ethics Liaison Ray Papperman regarding the need for Jorge Berkowitz and Phil Brilliant to recuse themselves from voting on applications for approval of CECs.

Peter Strom suggested that the Committee revisit the issue of the Board delegating authority to the Continuing Education Committee to approve or deny applications for approval of CECs.

- **Report of the Ad Hoc Committee on Discharge Notification – Joann Held**

No Report.

- **Report of the Audit Committee – Jorge Berkowitz**

Jorge Berkowitz reported on Audit Committee activities and proposed revisions to the audit selection and review process:

The Audit Selection procedure will be modified so that each month a mixture of LSRPs picked randomly and on a non-random basis (i.e., numerous deficiencies in submissions, etc.) are selected for audits. This is expected to begin next month.

ART and Board staff will no longer review every PI and every submission. In order to expedite process, 25 submissions will be selected based on type of submission, and focusing on more recent submissions. Implementing immediately.

The Audit Questionnaire (filled out by LSRPs being audited) is in need of some changes. Once staff has made all the suggested changes, they will be forwarded to the Committee for approval.

Board staff picked July and August auditees using the random selection procedure. Audit Review Teams have been assembled.

- **Report of the Finance Committee – Chris Motta**

No report.

- **Report of the Licensure Committee – Kathi Stetser**

49 LSRPs passed the exam and 48 have paid their licensure fee and can begin practicing. The total number of LSRPs is currently 691.

Caviart has received the award for preparing and administering the LSRP examination. The contract will be signed soon. The contract term is two years with three one-year extensions.

Motion by Kathi Stetser to enter closed session to discuss settlement matters with respect to 3 applications for license renewal.

Motion seconded by Jorge Berkowitz.

All present voted yes. The motion was carried.

Closed session commenced at 5:08 PM.

Open session resumed at 5:40 PM.

- **Professional Conduct Committee – Phil Brilliant**

Phil Brilliant reported that in May – July the Board received 5 new complaints from the Department.

The PCC has been working on a Memorandum of Understanding with the Department. It will be circulated to the Board Members. Please provide comments by August 28, 2017 so that the Board can discuss the comments at the next Board meeting on September 11, 2017.

- **Ongoing Business:**

No ongoing business.

- **New Business:**

None.

- **Next Meeting Date:**

The next meeting of the Board will be September 11, 2017.

- **Public Comments:**

None.

The meeting adjourned at 5:46 PM.